

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE

EILEEN GRADY,

Plaintiff,

v.

WAREHAM POLICE DEPARTMENT,  
TOWN OF WAREHAM,  
THOMAS JOYCE, and  
MICHAEL J. HARTMAN,

Defendants.

CIVIL ACTION NO.  
05-10097-RWZ

2005 FEB 24 P 3: 52

U.S. DISTRICT COURT  
DISTRICT OF MASS.

**PLAINTIFF'S ASSENTED TO MOTION TO CONTINUE  
THE SCHEDULING CONFERENCE**

Eileen Grady ("Plaintiff") hereby moves to continue the Scheduling Conference in this matter from Wednesday, March 2, 2005 to Wednesday, March 30, 2005 or Thursday, March 31, 2005.

As grounds for this Motion, Plaintiff states the following:

1. On January 14, 2005, Plaintiff filed the Complaint in this action.
2. On February 1, 2005 and February 2, 2005, the Defendants were served with the Complaint, Civil Action Cover Sheet and Summons.
3. On February 10, 2005, notice of a Scheduling Conference for Wednesday, March 2, 2005 was sent electronically to counsel of record; however, such notice was not received by counsel for Grady. Such notice was returned to the Court as "undeliverable," and counsel for Grady did not receive notice from the Court that such notice was returned as "undeliverable."
4. Counsel for Grady did not receive notice of the Scheduling Conference for March 2, 2005 until Thursday, February 24, 2005, during a telephone conversation with counsel for Defendants, Deborah Ecker. (Counsel for Grady also has not received Defendants' Answers, or notices from the Court regarding the filing of Defendants' Answers. Attorney Ecker has agreed to immediately provide copies of the Defendants' Answers to counsel for Grady).
5. Immediately upon learning of the Scheduling Conference, counsel for Grady

telephoned the Court Clerk for Judge Zobel, Jay Johnson, and learned, for the first time, that notice sent to counsel for Grady on February 10, 2005 regarding the Scheduling Conference for March 2, 2005 was returned as "undeliverable." (Counsel for Grady is currently working with her firm's Computer Department and the Court's Help Desk Number to address this issue).

6. Counsel for Grady has a scheduling conflict on March 2, 2005 as she has prior commitments scheduled on that date.

7. Moreover, counsel for Grady requires additional sufficient time to receive and review Defendants' Answers, and to comply with the requirements of Local Rule 16.1 prior to the Scheduling Conference, including conferring with counsel for Defendants and preparing a joint statement to be filed with the Court no later than five business days before the Scheduling Conference.

WHEREFORE, Plaintiff respectfully requests that the Court continue the Scheduling Conference from Wednesday, March 2, 2005 to Wednesday, March 30, 2005 or Thursday, March 31, 2005.

Respectfully Submitted,

EILEEN GRADY  
By her attorneys,

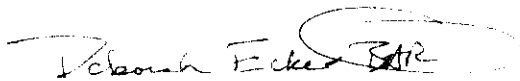


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617-854-4000

DATED: February 24, 2005

Assented To:



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Deborah I. Ecker (BBO #554623)